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7 Attorney for Timothy J. Walker

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 TIMOTHY J. WALKER,
14 Defendant.

Case No. 2:16-CR-042-JAD-PAL

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(Fifth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
17 United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-
19 Whittington, Assistant Federal Public Defender, counsel for Timothy J. Walker, that the
20 Sentencing Hearing currently scheduled on March 7, 2017 at 10:00 a.m., be vacated and
21 continued to a date and time convenient to the Court, but no earlier than one hundred and twenty
22 (120) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The defendant is out of custody and does not oppose the continuance.
25 2. Counsel was recently assigned to this case and needs additional time to review
the case, to prepare a sentencing memorandum, and to prepare for the sentencing hearing.
26

3. In addition to this case, counsel is also assigned to over 150 cases involving Motions to Vacate under 28 U.S.C. § 2255 seeking relief under the Supreme Court’s decision in *United States v. Johnson*, 135 S. Ct. 2551 (2015). Counsel has filed approximately 21 replies in response to the government’s opposition to the Motions to Vacate in the month of February, and have at least 18 replies due in March.

4. Additionally, the government's counsel will be out of the office on maternity leave for approximately 90 days and does not oppose the request for a continuance.

5. Denial of this request for continuance could result in a miscarriage of justice.

6. The parties agree to the continuance.

This is the fifth request for a continuance of the sentencing hearing.

DATED this 27th day of February, 2017.

RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

By /s/ Nisha Brooks-Whittington
NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

By /s/ Elham Roohani
ELHAM ROOHANI
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
TIMOTHY J. WALKER,
Defendant.

Case No. 2:16-CR-042-JAD-PAL

ORDER

TIMOTHY J. WALKER,
Defendant.

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for Tuesday, March 7, 2017 at 10:00 a.m., be vacated and continued to July 10, 2017 at 11:00 a.m.

DATED this 27th day of February, 2017.

UNITED STATES DISTRICT JUDGE